

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1198

By: Hardin of the House

and

Simpson of the Senate

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9
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11 COMMITTEE SUBSTITUTE

12 An Act relating to veterans; requiring the Oklahoma
13 Department of Veterans Affairs to create a veterans'
14 registry; requiring the registry contain certain
15 information; authorizing the Department to promulgate
16 rules; defining term; amending 29 O.S. 2011, Sections
17 4-110, as amended by Section 1, Chapter 286, O.S.L.
18 2013, 4-112, as last amended by Section 1, Chapter
19 165, O.S.L. 2015, 4-114, as amended by Section 1,
20 Chapter 112, O.S.L. 2014 and 4-140 (29 O.S. Supp.
21 2016, Sections 4-110, 4-112 and 4-114), which relate
22 to hunting and fishing licenses; requiring veteran
23 registration for certain annual fishing license
24 exemption; requiring veteran registration for certain
 annual hunting license exemptions; requiring veteran
 registration for certain lifetime license discount;
 requiring veteran registration for certain wildlife
 stamp requirement exemption; providing exceptions;
 directing the Oklahoma Wildlife Conservation
 Commission to promulgate necessary rules; amending
 Section 1, Chapter 261, O.S.L. 2013 (29 O.S. Supp.
 2016, Section 5-203.2), which relates to restrictions
 on laser sighting devices; requiring veteran
 registration as a condition for certain exemption;
 directing the Oklahoma Wildlife Conservation
 Commission to promulgate necessary rules; amending

1 Section 1, Chapter 45, O.S.L. 2015 (40 O.S. Supp.
2 2016, Section 801), which relates to the Voluntary
3 Veterans' Preference Employment Policy Act; modifying
4 definition; amending 47 O.S. 2011, Section 6-101, as
5 last amended by Section 1, Chapter 180, O.S.L. 2016
6 (47 O.S. Supp. 2016, Section 6-101), which relates to
7 driver licenses; requiring veteran registration for
8 driver license renewal fee exemption; providing
9 exception; amending Section 1, Chapter 330, O.S.L.
10 2012, as last amended by Section 1, Chapter 113,
11 O.S.L. 2014 (47 O.S. Supp. 2016, Section 6-124),
12 which relates to veteran designations on licenses and
13 identification cards; requiring veteran registration
14 for veteran designation; providing exception;
15 directing the Department to promulgate necessary
16 rules; amending 68 O.S. 2011, Section 1357, as last
17 amended by Section 18, Chapter 54, O.S.L. 2015 (68
18 O.S. Supp. 2016, Section 1357), which relates to
19 sales tax exemption; requiring veteran registration
20 for certain sales tax exemption; directing the Tax
21 Commission to promulgate necessary rules; amending 68
22 O.S. 2011, Section 2105, as last amended by Section
23 1, Chapter 312, O.S.L. 2016 (68 O.S. Supp. 2016,
24 Section 2105), which relates to vehicle excise tax
exemptions; requiring certain veteran registration
for vehicle excise tax exemption; providing
exception; directing the Tax Commission to promulgate
necessary rules; amending 72 O.S. 2011, Section 402,
which relates to the Special Disabled Veterans
Employment Act; modifying definition; providing for
codification; and providing effective dates.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 421 of Title 72, unless there is
created a duplication in numbering, reads as follows:

A. The Oklahoma Department of Veterans Affairs shall create and
maintain a registry of all veterans in this state by January 1,

1 2020. The registry shall include the following information
2 regarding the veteran:

- 3 1. Name;
- 4 2. Military ranking and branch of service;
- 5 3. Dates of service; and
- 6 4. Date of death and place of burial, if applicable.

7 B. The Oklahoma Department of Veterans Affairs shall promulgate
8 rules for implementing the provisions of this section.

9 C. For purposes of this section, "veteran" means a person who
10 served on active duty in the Armed Forces of the United States who
11 was discharged or released with an honorable discharge.

12 SECTION 2. AMENDATORY 29 O.S. 2011, Section 4-110, as
13 amended by Section 1, Chapter 286, O.S.L. 2013 (29 O.S. Supp. 2016,
14 Section 4-110), is amended to read as follows:

15 Section 4-110. A. Except as otherwise provided in the Oklahoma
16 Wildlife Conservation Code, no person shall fish, pursue, harass,
17 catch, kill, take in any manner, use, have in possession, sell, or
18 transport all or any portion of fish without having first procured a
19 license for such from the Director or from any of the authorized
20 agents of the Department of Wildlife Conservation. The Wildlife
21 Conservation Commission may designate two (2) days per year in which
22 residents and nonresidents may fish without first procuring a
23 fishing license pursuant to the provisions of this section.

24

1 B. The following legal residents of Oklahoma shall be exempt
2 from the annual fishing license requirements of subsection C of this
3 section and the following nonresidents shall be exempt from the
4 annual nonresident fishing licenses required pursuant to subsection
5 E of this section:

6 1. Legal residents under sixteen (16) years of age and
7 nonresidents under sixteen (16) years of age from states which do
8 not require nonresident fishing licenses for persons under sixteen
9 (16) years of age;

10 2. Legal residents sixty-five (65) years of age or older and
11 nonresidents sixty-five (65) years of age or older from states which
12 do not require nonresident fishing licenses for persons sixty-five
13 (65) years of age or older, provided a legal resident has obtained a
14 senior citizen lifetime fishing or combination hunting and fishing
15 license pursuant to the provisions of Section 4-114 of this title;

16 3. Legal residents born on or before January 1, 1923;

17 4. Legal resident veterans having a disability of sixty percent
18 (60%) or more and registered with the veterans registry created by
19 the Oklahoma Department of Veterans Affairs; provided, that if the
20 veteran has previously received an exemption pursuant to this
21 paragraph, no registration with the veterans registry shall be
22 required. The Oklahoma Wildlife Conservation Commission shall
23 promulgate any rules necessary to implement the provisions of this
24 paragraph;

1 5. Legal resident owners or tenants, their spouses, parents,
2 grandparents, children and their spouses, grandchildren and their
3 spouses who fish in private ponds on land owned or leased by them;

4 6. Any legal resident or nonresident who is a patient of an
5 institution of the State of Oklahoma established for the care and
6 treatment of mental illness or alcohol or drug dependency or any
7 developmentally disabled person residing in any group home or other
8 institution or developmentally disabled persons when accompanied by
9 an attendant of the institution or legal guardian of the patient, or
10 when fishing on institutional property;

11 7. Any legal resident or nonresident under eighteen (18) years
12 of age who is in the legal and physical custody of the State of
13 Oklahoma or one of its agencies by court order;

14 8. Any legal resident or nonresident under eighteen (18) years
15 of age who is in the physical custody of a child care facility as
16 defined by Section 402 of Title 10 of the Oklahoma Statutes;

17 9. Any legal resident or nonresident who is legally blind or
18 who has any other physical impairment, as certified by a physician
19 licensed in this state or any state which borders this state, which
20 prevents the person from properly using fishing apparatus without
21 the assistance of another person, and any one person actually
22 accompanying and actually assisting such legally blind or otherwise
23 physically impaired person while the latter is fishing. This
24 certification shall be carried by the individual while fishing;

1 10. Nonresidents under fourteen (14) years of age;

2 11. Any legal resident or nonresident who is a Job Corps
3 trainee of this state, provided that the trainees shall have on
4 their persons a duly authorized identification card issued by their
5 respective Job Corps Center and shall present the card upon request,
6 in lieu of a fishing license. The trainees shall return their cards
7 to their respective Job Corps Center when the trainees leave their
8 respective Job Corps training programs;

9 12. Any legal resident having a proven disability which renders
10 the resident nonambulatory and confined to a wheelchair as certified
11 by a physician licensed in this state or any state which borders
12 this state;

13 13. Any legal resident who is fishing with a pole and line,
14 trotline, or throwline in streams, natural lakes, natural ponds, and
15 mine pits in the county in which the person is a resident, or in
16 streams, natural lakes, natural ponds, and mine pits which form a
17 part of the boundary line of the county in which the person is a
18 resident, when using any bait other than commercial or artificial
19 bait, blood, stink bait, cut fish, and shrimp; and

20 14. Any legal resident or nonresident participating in an
21 aquatic education event or clinic sanctioned by the Department of
22 Wildlife Conservation.

1 C. Except as otherwise provided for in the Oklahoma Wildlife
2 Conservation Code, the resident fishing licenses issued pursuant to
3 the provisions of this section and the fee for each shall be:

4 1. Annual fishing license for legal residents eighteen (18)
5 years of age and older - Twenty-four Dollars (\$24.00);

6 2. Annual fishing license for legal residents sixteen (16) or
7 seventeen (17) years of age - Four Dollars (\$4.00); and

8 3. Two-day fishing license for legal residents - Fourteen
9 Dollars (\$14.00).

10 D. Of the fees collected pursuant to the provisions of
11 paragraphs 1 and 3 of subsection C of this section, Five Dollars
12 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
13 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
14 created pursuant to the provisions of Section 4-141 of this title.

15 E. Except as otherwise provided for in the Oklahoma Wildlife
16 Conservation Code, the nonresident fishing licenses issued pursuant
17 to the provisions of this section and the fee for each shall be:

18 1. Annual fishing license for nonresidents - Fifty-four Dollars
19 (\$54.00), provided the Commission may enter into reciprocity
20 agreements with states wherein nonresident license fees shall be in
21 conformity with such reciprocal agreements;

22 2. Six-day fishing license for nonresidents - Thirty-four
23 Dollars (\$34.00); and
24

1 3. One-day fishing license for nonresidents - Fourteen Dollars
2 (\$14.00).

3 F. Of the fees collected pursuant to the provisions of
4 paragraphs 1, 2 and 3 of subsection E of this section, Five Dollars
5 (\$5.00) of the annual license fee for nonresidents, One Dollar and
6 fifty cents (\$1.50) of the six-day fishing license for nonresidents
7 fee and One Dollar and fifty cents (\$1.50) of the one-day fishing
8 license for nonresidents fee shall be deposited in the Wildlife Land
9 Acquisition Fund created pursuant to the provisions of Section 4-132
10 of this title. Of the fees collected pursuant to the provisions of
11 paragraphs 1 , 2 and 3 of subsection E of this section, Five Dollars
12 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
13 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
14 created pursuant to the provisions of Section 4-141 of this title.

15 G. Legal residents who have resided in this state for at least
16 six (6) months and who are receiving Social Security Disability
17 benefits, Supplemental Security Income benefits, disability benefits
18 under the Railroad Retirement Act, 45 U.S.C.A., Section 231a, postal
19 employees receiving disability benefits pursuant to 5, U.S.C.,
20 Section 8451 (1998) or legal residents who are one hundred percent
21 (100%) disabled and are receiving disability payments from the
22 Multiple Injury Trust Fund pursuant to Section 403 of Title 85 of
23 the Oklahoma Statutes, may purchase a disability fishing license
24 from the Director for Ten Dollars (\$10.00) for five (5) years.

1 H. 1. Any person arrested while violating the provisions of
2 this section who does not meet the requirements of subsection K of
3 this section, may purchase a substitute temporary thirty-day license
4 from the arresting game warden in lieu of posting bond. The fee for
5 a substitute license purchased pursuant to the provisions of this
6 subsection shall be:

7 a. for legal residents, Fifty Dollars (\$50.00), and

8 b. for nonresidents, Ninety Dollars (\$90.00).

9 2. Except as otherwise provided by this subsection, the fees
10 from licenses purchased pursuant to the provisions of this
11 subsection shall be deposited in the Wildlife Conservation Fund to
12 be used exclusively for developing, managing, preserving, and
13 protecting wildlife and wildlife habitat.

14 I. Unless a substitute license is purchased as provided for by
15 subsection H of this section, any resident of this state convicted
16 of violating the provisions of this section shall be punished by the
17 imposition of a fine of not less than Twenty-five Dollars (\$25.00)
18 nor more than Two Hundred Dollars (\$200.00) or by imprisonment in
19 the county jail for a period not to exceed thirty (30) days, or by
20 both said fine and imprisonment.

21 J. Unless a substitute license is purchased as provided for by
22 subsection H of this section, any nonresident convicted of violating
23 this section shall be punished by a fine of not less than Fifty
24 Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) or by

1 imprisonment in the county jail for a period not more than thirty
2 (30) days, or by both such fine and imprisonment.

3 K. Any person producing proof in court that a current fishing
4 license issued by the Department of Wildlife Conservation to that
5 person was in force at the time of the alleged offense shall be
6 entitled to dismissal of a charge of violating this section upon
7 payment of court costs. If proof of a current fishing license
8 issued by the Department to the person that was in force at the time
9 of the alleged offense is presented to the court or district
10 attorney within seventy-two (72) hours after the violation, the
11 charge shall be dismissed without payment of court costs.

12 SECTION 3. AMENDATORY 29 O.S. 2011, Section 4-112, as
13 last amended by Section 1, Chapter 165, O.S.L. 2015 (29 O.S. Supp.
14 2016, Section 4-112), is amended to read as follows:

15 Section 4-112. A. Except as otherwise provided for in the
16 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae
17 Act, no person may hunt, pursue, trap, harass, catch, kill, take or
18 attempt to take in any manner, use, have in possession, sell, or
19 transport all or any portion of any wildlife except fish, without
20 having first procured a license from the Department of Wildlife
21 Conservation. The Wildlife Conservation Commission shall designate
22 a consecutive Saturday and Sunday in September of each year as free
23 hunting days in which residents of this state may hunt without first
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1 procuring a hunting license pursuant to the provisions of this
2 section.

3 B. The following legal residents of Oklahoma shall be exempt
4 from the annual hunting license requirement of paragraph 1 of
5 subsection E of this section and the following nonresidents shall be
6 exempt from the annual nonresident hunting licenses required
7 pursuant to paragraph 1 of subsection C of this section:

8 1. Legal residents under sixteen (16) years of age;

9 2. Legal residents sixty-five (65) years of age or older
10 provided they have obtained a senior citizen lifetime hunting or
11 combination hunting and fishing license pursuant to the provisions
12 of Section 4-114 of this title;

13 3. Legal residents born on or before January 1, 1923;

14 4. Legal resident veterans having a disability of sixty percent
15 (60%) or more and registered with the veterans registry created by
16 the Oklahoma Department of Veterans Affairs; provided, that if the
17 veteran has previously received an exemption pursuant to this
18 paragraph, no registration with the veterans registry shall be
19 required;

20 5. Legal resident owners or tenants who hunt on land owned or
21 leased by them;

22 6. Any nonresident under fourteen (14) years of age;

23 7. Legal residents having a proven disability which renders
24 them nonambulatory and confines them to a wheelchair, as certified

1 by a physician licensed in this state or in any state which borders
2 this state;

3 8. Any legal resident or nonresident under eighteen (18) years
4 of age who is in the physical custody of a child care facility as
5 defined by Section 402 of Title 10 of the Oklahoma Statutes; and

6 9. Any legal resident or nonresident hunting, pursuing,
7 trapping, harassing, catching, killing, taking, or attempting to
8 take in any manner any species of rattlesnake during an organized
9 rattlesnake-hunting event or festival and who has a rattlesnake
10 permit issued pursuant to Section 4-143 of this title.

11 C. Except as otherwise provided for in the Oklahoma Wildlife
12 Conservation Code, the nonresident hunting licenses issued pursuant
13 to this section and the fee for each license shall be:

14 1. Annual hunting license for nonresidents hunting game other
15 than deer, antelope, elk or bear which expires on December 31 of the
16 year purchased - One Hundred Forty-one Dollars (\$141.00).

17 Nonresidents hunting big game or combination big game and upland
18 game in a commercial hunting area shall be required to have this
19 license;

20 2. Annual hunting license for nonresidents hunting game other
21 than deer, antelope, elk or bear which expires on June 30 of the
22 fiscal year purchased - One Hundred Seventy-five Dollars (\$175.00).

23 Nonresidents hunting big game or combination big game and upland
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1 game in a commercial hunting area shall be required to have this
2 license;

3 3. Gun hunting license for deer for nonresidents which shall be
4 valid for hunting all deer allowed during the current calendar year
5 deer gun season - Two Hundred Seventy-nine Dollars (\$279.00);

6 4. Archery hunting license for deer for nonresidents which
7 shall expire on January 15 of the calendar year after the year
8 purchased or if purchased during the deer archery season it shall
9 expire at the end of that deer archery season - Two Hundred Seventy-
10 nine Dollars (\$279.00);

11 5. Primitive firearms hunting license for deer for nonresidents
12 which shall be valid for hunting all deer allowed during the current
13 calendar year deer primitive firearms season - Two Hundred Seventy-
14 nine Dollars (\$279.00);

15 6. Hunting license for antelope for nonresidents - Three
16 Hundred Five Dollars (\$305.00);

17 7. Hunting license for elk for nonresidents - Three Hundred
18 Five Dollars (\$305.00);

19 8. Five-day hunting license for nonresidents hunting game other
20 than deer, antelope, elk, quail, turkey or bear - Seventy-four
21 Dollars (\$74.00); and

22 9. Ten-day hunting license for nonresidents hunting small game
23 in a commercial hunting area - Five Dollars (\$5.00).

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1 D. Of the fees collected pursuant to the provisions of
2 subsection C of this section:

3 1. Five Dollars (\$5.00) of the license fee of each license
4 issued pursuant to paragraphs 1 through 7 of subsection C of this
5 section and Two Dollars and fifty cents (\$2.50) of the license fee
6 for each license issued pursuant to paragraph 8 of subsection C of
7 this section shall be deposited in the Wildlife Land Acquisition
8 Fund created pursuant to the provisions of Section 4-132 of this
9 title; and

10 2. Five Dollars (\$5.00) of the license fee for each license
11 issued pursuant to paragraphs 1 through 8 of subsection C of this
12 section shall be for the Oklahoma Wildlife Land Stamp and shall be
13 deposited in the Oklahoma Wildlife Land Fund created pursuant to the
14 provisions of Section 4-141 of this title.

15 E. Except as otherwise provided, the resident hunting licenses
16 issued pursuant to this section and the fee for each license shall
17 be:

18 1. Annual hunting license for residents eighteen (18) years of
19 age and older which expires on December 31 of the year purchased -
20 Twenty-four Dollars (\$24.00);

21 2. Annual hunting license for residents eighteen (18) years of
22 age and older which expires on June 30 of the fiscal year purchased
23 - Thirty-one Dollars (\$31.00);

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1 3. Annual hunting license for residents sixteen (16) or
2 seventeen (17) years of age which expires on December 31 of the year
3 purchased - Four Dollars (\$4.00);

4 4. Annual hunting license for residents sixteen (16) or
5 seventeen (17) years of age which expires on June 30 of the fiscal
6 year purchased - Six Dollars (\$6.00);

7 5. Ten-day hunting license for residents for small game in a
8 commercial hunting area - Five Dollars (\$5.00);

9 6. Five-year disability hunting license for residents of this
10 state for at least six (6) months who are receiving Social Security
11 Disability benefits, Supplemental Security Income benefits or
12 disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,
13 Section 231a, or residents who are one-hundred-percent disabled and
14 are receiving disability payments from the Multiple Injury Trust
15 Fund pursuant to Section 31 of Title 85A of the Oklahoma Statutes -
16 Ten Dollars (\$10.00);

17 7. Gun hunting license for deer for residents eighteen (18)
18 years of age or older - Nineteen Dollars (\$19.00). The following
19 persons shall be exempt:

- 20 a. residents with proper certification from the United
21 States Department of Veterans Affairs or its
22 successor, certifying that the person is a disabled
23 veteran in receipt of compensation at the one-hundred-
24 percent rate and registered with the veterans registry

1 created by the Oklahoma Department of Veterans
2 Affairs; provided, that if the veteran has previously
3 received an exemption pursuant to this subparagraph,
4 no registration with the veterans registry shall be
5 required, and

6 b. residents hunting in big game or combination big game
7 and upland game commercial hunting areas;

8 8. Gun hunting license for deer for residents under eighteen
9 (18) years of age - Nine Dollars (\$9.00);

10 9. Archery hunting license for deer for residents eighteen (18)
11 years of age or older - Nineteen Dollars (\$19.00). The following
12 persons shall be exempt:

13 a. residents with proper certification from the United
14 States Department of Veterans Affairs or its
15 successor, certifying that the person is a disabled
16 veteran in receipt of compensation at the one-hundred-
17 percent rate and registered with the veterans registry
18 created by the Oklahoma Department of Veterans
19 Affairs; provided, that if the veteran has previously
20 received the exemption pursuant to this subparagraph,
21 no registration with the veterans registry shall be
22 required, and

23 b. residents hunting in big game or combination big game
24 and upland game commercial hunting areas;

1 10. Archery hunting license for deer for residents under
2 eighteen (18) years of age - Nine Dollars (\$9.00);

3 11. Primitive firearms hunting license for deer for residents
4 eighteen (18) years of age or older - Nineteen Dollars (\$19.00).

5 The following persons shall be exempt:

6 a. residents with proper certification from the United
7 States Department of Veterans Affairs or its
8 successor, certifying that the person is a disabled
9 veteran in receipt of compensation at the one-hundred-
10 percent rate and registered with the veterans registry
11 created by the Oklahoma Department of Veterans
12 Affairs; provided, that if the veteran has previously
13 received the exemption pursuant to this subparagraph,
14 no registration with the veterans registry shall be
15 required, and

16 b. residents hunting in big game or combination big game
17 and upland game commercial hunting areas;

18 12. Primitive firearms hunting license for deer for residents
19 under eighteen (18) years of age - Nine Dollars (\$9.00);

20 13. Hunting license for elk for residents - Fifty Dollars
21 (\$50.00). Residents hunting in big game or combination big game and
22 upland game commercial hunting areas shall be exempt from this
23 license;

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1 14. Hunting license for antelope for residents - Fifty Dollars
2 (\$50.00). Residents hunting in big game or combination big game and
3 upland game commercial hunting areas shall be exempt from this
4 license; and

5 15. Bonus, special or additional gun hunting license for deer
6 for residents - Nineteen Dollars (\$19.00). The following persons
7 shall be exempt:

8 a. residents with proper certification from the United
9 States Department of Veterans Affairs or its
10 successor, certifying that the person is a disabled
11 veteran in receipt of compensation at the one-hundred-
12 percent rate and registered with the veterans registry
13 created by the Oklahoma Department of Veterans Affairs;
14 provided, that if the veteran has previously received
15 the exemption pursuant to this subparagraph, no
16 registration with the veterans registry shall be
17 required, and

18 b. residents hunting in big game or combination big game
19 and upland game commercial hunting areas.

20 F. Of the fees collected pursuant to the provisions of
21 paragraphs 1 and 2 of subsection E of this section, Five Dollars
22 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
23 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
24 created pursuant to the provisions of Section 4-141 of this title.

1 G. The provisions of this section shall not be construed to
2 require a hunting license, resident or nonresident, of any person
3 merely because the person participates, as owner or handler of an
4 entry, as an official, or as a spectator in the conduct of a field
5 trial or performance test of dogs, whether a resident or nonresident
6 of the State of Oklahoma. No license to hunt shall be required of
7 any person engaged in training or working dogs, provided that person
8 is in no way engaged in hunting and does not take or attempt to take
9 in any manner any game.

10 H. 1. Any person arrested for hunting game other than deer,
11 antelope, elk, bear or turkey without a valid hunting license as
12 required by the provisions of subsection A of this section may
13 purchase a substitute temporary thirty-day license from the
14 arresting game warden in lieu of posting bond. Proof of hunter
15 safety certification will not be required for the temporary
16 substitute license. The fee for a substitute license purchased
17 pursuant to the provisions of this subsection shall be:

- 18 a. for legal residents, Fifty Dollars (\$50.00), and
- 19 b. for nonresidents, One Hundred Forty-five Dollars
20 (\$145.00).

21 2. Except as otherwise provided for by this subsection, the
22 fees from licenses purchased pursuant to the provisions of this
23 subsection shall be deposited in the Wildlife Conservation Fund to
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1 be used exclusively for developing, managing, preserving, and
2 protecting wildlife and wildlife habitat.

3 I. Any person producing proof in court that a current hunting
4 license issued by the Department of Wildlife Conservation to that
5 person was in force at the time of the alleged offense shall be
6 entitled to dismissal of a charge of violating this section upon
7 payment of court costs. If proof of a current hunting license
8 issued by the Department to the person that was in force at the time
9 of the alleged offense is presented to the court or district
10 attorney within seventy-two (72) hours after the violation, the
11 charge shall be dismissed without payment of court costs.

12 J. Unless a substitute license is purchased as provided for by
13 subsection H of this section, any resident convicted of violating
14 the provisions of this section shall be punished by the imposition
15 of a fine of not less than Twenty-five Dollars (\$25.00) nor more
16 than Two Hundred Dollars (\$200.00), or by imprisonment in the county
17 jail for a period not to exceed thirty (30) days, or by both.

18 K. Unless a substitute license is purchased as provided for by
19 subsection H of this section, any nonresident convicted of violating
20 the provisions of this section shall be punished by the imposition
21 of a fine of not less than Two Hundred Dollars (\$200.00) nor more
22 than Five Hundred Dollars (\$500.00), or by imprisonment in the
23 county jail for a period not to exceed six (6) months, or by both.

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1 L. The Oklahoma Wildlife Conservation Commission shall
2 promulgate any rules necessary to implement the provisions of this
3 section.

4 SECTION 4. AMENDATORY 29 O.S. 2011, Section 4-114, as
5 amended by Section 1, Chapter 112, O.S.L. 2014 (29 O.S. Supp. 2016,
6 Section 4-114), is amended to read as follows:

7 Section 4-114. A. All legal residents who have resided in the
8 state for at least six (6) months and intend to remain residents may
9 purchase lifetime fishing licenses, lifetime hunting licenses or
10 lifetime combination hunting and fishing licenses from the State
11 Wildlife Conservation Director.

12 B. The fee for these licenses shall be:

13 1. Lifetime fishing license, Two Hundred Dollars (\$200.00);

14 2. Lifetime hunting license, Six Hundred Dollars (\$600.00);

15 3. Lifetime combination hunting and fishing license, Seven
16 Hundred Fifty Dollars (\$750.00);

17 4. Senior citizen lifetime hunting license for persons sixty-
18 five (65) years of age or older, Fifteen Dollars (\$15.00);

19 5. Senior citizen lifetime fishing license for persons sixty-
20 five (65) years of age or older, Fifteen Dollars (\$15.00); and

21 6. Senior citizen lifetime combination hunting and fishing
22 license for persons sixty-five (65) years of age or older, Twenty-
23 five Dollars (\$25.00).

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1 C. Legal resident having proper certification from the United
2 States Department of Veterans Affairs or its successor certifying
3 that the person is a disabled veteran and registered with the
4 veterans registry created by the Oklahoma Department of Veterans
5 Affairs may purchase a disability lifetime combination hunting and
6 fishing license from the State Wildlife Conservation Director. The
7 fees for the license shall be as follows:

8 1. Two Hundred Dollars (\$200.00) for veterans having a
9 disability of less than sixty percent (60%); and

10 2. Twenty-five Dollars (\$25.00) for veterans having a
11 disability of sixty percent (60%) or more.

12 D. The use of the licenses provided in this section are subject
13 to those restrictions provided by statute and the regulations of the
14 Wildlife Conservation Commission. Except as otherwise provided for
15 in this section, each lifetime hunting license issued pursuant to
16 subsections B and C of this section shall be in lieu of all annual
17 hunting licenses and all special season permits.

18 E. Should any lifetime license be lost or destroyed, a
19 duplicate will be issued by the Department of Wildlife Conservation
20 for a fee of Ten Dollars (\$10.00).

21 F. A lifetime licensee shall not lose the privileges of such
22 license by a subsequent transfer of residency.

23 G. 1. In addition to the fees imposed pursuant to paragraphs 1
24 through 3 of subsection B of this section, a person purchasing a

1 lifetime fishing, hunting or combination license, excluding a senior
2 citizen lifetime hunting, fishing or combination hunting and fishing
3 license issued pursuant to paragraphs 4 through 6 of subsection B of
4 this section and a disability lifetime combination hunting and
5 fishing license issued pursuant to subsection C of this section,
6 shall be required to purchase a Lifetime Oklahoma Wildlife Land
7 Stamp. Each person shall have the stamp in their possession while
8 hunting, fishing, or taking any wildlife. The fee for the Lifetime
9 Oklahoma Wildlife Land Stamp shall be Twenty-five Dollars (\$25.00).
10 The fee for the stamp shall be distributed as follows:

- 11 a. Twenty Dollars (\$20.00) from each stamp shall be
12 deposited in the Oklahoma Wildlife Land Fund, created
13 in Section 4-141 of this title, to be used to retire
14 the obligations and related expenses as authorized
15 pursuant to Section 168.9 of Title 73 of the Oklahoma
16 Statutes or to purchase, lease, or purchase easements
17 on real property to be used as public hunting,
18 fishing, and trapping areas, and
- 19 b. Five Dollars (\$5.00) from each stamp shall be
20 deposited in the Oklahoma Wildlife Land Fund, created
21 in Section 4-141 of this title, to be used by the
22 Commission for management of the real property
23 acquired pursuant to Section 168.9 of Title 73 of the
24

1 Oklahoma Statutes or acquired with proceeds from the
2 Oklahoma Wildlife Land Stamp fee.

3 2. The Oklahoma Wildlife Conservation Commission shall
4 prescribe, by rule, the form, design, and manner of issuance of the
5 Lifetime Oklahoma Wildlife Land Stamp.

6 3. Within one (1) year of the final retirement, redemption, or
7 defeasance of the obligations created pursuant to Section 168.9 of
8 Title 73 of the Oklahoma Statutes, the Lifetime Oklahoma Wildlife
9 Land Stamp and Lifetime Oklahoma Wildlife Land Stamp fee
10 requirements provided for in this subsection shall terminate.

11 H. A person who is sixty-four (64) years of age shall be
12 eligible to purchase a senior citizen lifetime license issued
13 pursuant to paragraphs 4 through 6 of subsection B of this section
14 during the calendar year in which the person turns sixty-five (65)
15 years of age.

16 I. The fee for a lifetime fishing license, a lifetime hunting
17 license, or a lifetime combination hunting and fishing license
18 issued pursuant to paragraphs 1 through 3 of subsection B of this
19 section for a legal resident under eighteen (18) years of age may be
20 paid for by installments not to exceed a three-year period of time
21 and in a manner determined by the Director. The lifetime license
22 shall not be issued and become valid until full payment is received
23 by the Department of Wildlife Conservation. If the entire amount of
24 the license fee is not received within three (3) years from the date

1 the application for installment payments is submitted to the
2 Department, all funds received shall be forfeited and shall not be
3 refunded.

4 J. The Oklahoma Wildlife Conservation Commission shall
5 promulgate any rules necessary to implement the provisions of this
6 section.

7 SECTION 5. AMENDATORY 29 O.S. 2011, Section 4-140, is
8 amended to read as follows:

9 Section 4-140. A. Except as otherwise provided for in this
10 section, no person may hunt, pursue, trap, harass, catch, kill,
11 take, or attempt to take in any manner, use, have in possession,
12 sell, or transport all or any portion of any wildlife including fish
13 unless the person has first obtained an Oklahoma Wildlife Land Stamp
14 from the Director or any authorized agents of the Department of
15 Wildlife Conservation. Each person shall have the stamp in their
16 possession when hunting, fishing, or taking any wildlife.

17 B. Persons exempt from the Oklahoma Wildlife Land Stamp
18 requirements of this section are:

19 1. Legal residents of Oklahoma under eighteen (18) years of
20 age;

21 2. Legal residents of Oklahoma sixty-five (65) years of age or
22 older;

23 3. Legal residents of Oklahoma who have a valid lifetime
24 fishing, hunting, or combination license;

1 4. Legal residents of Oklahoma who have a valid senior citizen
2 lifetime fishing, hunting or combination hunting and fishing
3 license;

4 5. Nonresidents holding a valid nonresident lifetime fishing
5 license;

6 6. Legal residents and nonresidents who have acquired a license
7 pursuant to Section 4-110 or Section 4-128 of this title for fishing
8 in the area of Lake Texoma located within the state;

9 7. Nonresidents under sixteen (16) years of age from states
10 which do not require nonresident fishing licenses for persons under
11 sixteen (16) years of age;

12 8. Nonresidents sixty-four (64) years of age or older from
13 states which do not require nonresident fishing licenses for persons
14 sixty-four (64) years of age or older;

15 9. Legal resident veterans having a disability of sixty percent
16 (60%) or more and registered with the veterans registry created by
17 the Oklahoma Department of Veterans Affairs; provided, that if the
18 veteran has previously received the exemption pursuant to this
19 paragraph, no registration with the veterans registry shall be
20 required;

21 10. Legal resident owners or tenants, their spouses, parents,
22 grandparents, children and their spouses, grandchildren and their
23 spouses who hunt on land owned or leased by them or fish in private
24 ponds on land owned or leased by them;

1 11. Any legal resident or nonresident who is a patient of an
2 institution of the State of Oklahoma established for the care and
3 treatment of mental illness or alcohol or drug dependency or any
4 developmentally disabled person residing in any group home or other
5 institution or developmentally disabled persons when accompanied by
6 an attendant of such institution or legal guardian of said patient,
7 or when fishing on institutional property;

8 12. Any legal resident or nonresident who is legally blind or
9 who has any other physical impairment, as certified by a physician
10 licensed in this state or any state which borders this state, which
11 prevents the person from properly using fishing apparatus without
12 the assistance of another person, and any one person actually
13 accompanying and actually assisting such legally blind or otherwise
14 physically impaired person while the latter is fishing. This
15 certification shall be carried by the individual while fishing;

16 13. Nonresidents under fourteen (14) years of age;

17 14. Any legal resident or nonresident who is a Job Corps
18 trainee of this state, provided that the trainees shall have on
19 their persons a duly authorized identification card issued by their
20 respective Job Corps Center and shall present the card upon request,
21 in lieu of a fishing license. The trainees shall return their cards
22 to their respective Job Corps Center when the trainees leave their
23 respective Job Corps training programs;

24

1 15. Any legal resident having a proven disability which renders
2 the resident nonambulatory and confined to a wheelchair as certified
3 by a physician licensed in this state or any state which borders
4 this state;

5 16. Any legal resident or nonresident who is fishing with a
6 pole and line, trotline, or throwline in streams, natural lakes,
7 natural ponds, and mine pits when using any bait other than
8 commercial or artificial bait, blood, stink bait, cut fish, and
9 shrimp; and

10 17. Any legal resident or nonresident hunting, pursuing,
11 trapping, harassing, catching, killing, taking, or attempting to
12 take in any manner any species of rattlesnake during an organized
13 rattlesnake hunting event or festival and who has a rattlesnake
14 permit issued pursuant to Section 4-143 of this title.

15 C. 1. Any fees received for the Oklahoma Wildlife Land Stamp
16 and required to be deposited in the Oklahoma Wildlife Land Fund,
17 created in Section 4-141 of this title and any other money deposited
18 in the fund, shall be used exclusively for:

19 a. the payment of bond debt and related expenses incurred
20 pursuant to Section 168.9 of Title 73 of the Oklahoma
21 Statutes for the purchase of public hunting, fishing,
22 and trapping areas where the public may hunt, fish, or
23 trap as authorized by law or for the purchase, lease,
24

1 or purchasing of easements on real property to be used
2 as public hunting, fishing, and trapping areas, and
3 b. the management of the real property acquired pursuant
4 to Section 168.9 of Title 73 of the Oklahoma Statutes
5 or acquired with proceeds from the Oklahoma Wildlife
6 Land Stamp fee.

7 2. The collection and remittance procedures applicable to
8 hunting license fees under this title shall apply to the Oklahoma
9 Wildlife Land Stamp fees.

10 3. The Oklahoma Wildlife Land Stamp issued pursuant to this
11 section for hunting licenses issued pursuant to paragraph 1 of
12 subsection C and paragraphs 1 and 3 of subsection E of Section 4-112
13 of this title and paragraphs 1 and 3 of subsection B of Section 4-
14 113 of this title, shall expire on December 31. The Oklahoma
15 Wildlife Land Stamp issued pursuant to this section for hunting
16 licenses issued pursuant to paragraph 2 of subsection C and
17 paragraphs 2 and 4 of subsection E of Section 4-112 of this title
18 and paragraphs 2 and 4 of subsection B of Section 4-113 of this
19 title, shall expire on June 30.

20 D. The Oklahoma Wildlife Conservation Commission shall
21 prescribe, by rule, the form, design, and manner of issuance of the
22 Oklahoma Wildlife Land Stamp and any rules necessary to implement
23 the provisions of this section.
24

1 SECTION 6. AMENDATORY Section 1, Chapter 261, O.S.L.
2 2013 (29 O.S. Supp. 2016, Section 5-203.2), is amended to read as
3 follows:

4 Section 5-203.2 A. Except for battery-powered scoping devices
5 that project a light or dot inside the scope and pin sight lights on
6 archery equipment, no person shall use a laser sighting device as a
7 hunting aid.

8 B. Nothing in this section shall prevent a person from
9 possessing a .22 caliber rimfire rifle or pistol with a laser
10 sighting device while hunting or taking furbearers with hounds
11 during the legal, open furbearer season, while possessing a valid
12 hunting license.

13 C. As used in this section, "laser sighting device" means any
14 artificial light of any form that casts or reflects a beam of light
15 onto or otherwise illuminates wildlife.

16 D. The provisions of subsection A of this section shall not
17 apply to persons who are ~~one~~:

18 1. One hundred percent (100%) disabled as certified by the
19 Social Security Administration ~~or~~;

20 2. One hundred percent (100%) disabled as certified by the
21 United States Department of Veterans Affairs and registered with the
22 veterans registry created by the Oklahoma Department of Veterans
23 Affairs; or ~~who are certified~~

24

1 3. Certified as being legally blind by a physician licensed in
2 this state or any state which borders this state if the person is
3 hunting on private property and is accompanied by a licensed hunter.

4 E. Any person convicted of violating the provisions of this
5 section shall be guilty of a misdemeanor.

6 F. The Oklahoma Wildlife Conservation Commission shall
7 promulgate any rule necessary to implement the provisions of this
8 section.

9 SECTION 7. AMENDATORY Section 1, Chapter 45, O.S.L. 2015
10 (40 O.S. Supp. 2016, Section 801), is amended to read as follows:

11 Section 801. A. This section shall be known and may be cited
12 as the "Voluntary Veterans' Preference Employment Policy Act".

13 B. As used in this section:

14 1. "DD 214" means United States Department of Defense Form 214
15 or a similarly effective form issued by the Department relating to
16 separation from military service;

17 2. "Private employer" means a business entity in the private
18 sector of this state with one or more employees;

19 3. "Veteran" means a person who served on active duty in the
20 Armed Forces of the United States who was discharged or released
21 with an honorable discharge and registered with the veterans
22 registry created by the Oklahoma Department of Veterans Affairs; and
23
24

1 4. "Veterans' preference employment policy" means a private
2 employer's voluntary preference for hiring, promoting or retaining a
3 veteran over another qualified applicant or employee.

4 C. A private employer may have a voluntary veterans' preference
5 employment policy. The policy:

6 1. Shall be in writing; and

7 2. Shall be applied uniformly to employment decisions regarding
8 hiring, promotion or retention during a reduction in force.

9 D. An employer may require that a veteran submit a DD 214 to a
10 private employer with a veterans' preference employment policy to be
11 eligible for the preference.

12 E. The granting of a veterans' preference pursuant to the
13 provisions of this section shall not be deemed to violate any local
14 or state equal employment opportunity law or regulation.

15 F. The Department of Veterans Affairs shall assist any private
16 employer in determining if an applicant is a veteran to the extent
17 permitted by law.

18 SECTION 8. AMENDATORY 47 O.S. 2011, Section 6-101, as
19 last amended by Section 1, Chapter 180, O.S.L. 2016 (47 O.S. Supp.
20 2016, Section 6-101), is amended to read as follows:

21 Section 6-101. A. No person, except those hereinafter
22 expressly exempted in Sections 6-102 and 6-102.1 of this title,
23 shall operate any motor vehicle upon a highway in this state unless
24 the person has a valid Oklahoma driver license for the class of

1 vehicle being operated under the provisions of this title. No
2 person shall be permitted to possess more than one valid license at
3 any time, except as provided in paragraph 4 of subsection F of this
4 section.

5 B. 1. No person shall operate a Class A commercial motor
6 vehicle unless the person is eighteen (18) years of age or older and
7 holds a valid Class A commercial license, except as provided in
8 paragraph 5 of this subsection and subsection F of this section.

9 Any person holding a valid Class A commercial license shall be
10 permitted to operate motor vehicles in Classes A, B, C and D, except
11 as provided for in paragraph 4 of this subsection.

12 2. No person shall operate a Class B commercial motor vehicle
13 unless the person is eighteen (18) years of age or older and holds a
14 valid Class B commercial license, except as provided in paragraph 5
15 of subsection F of this section. Any person holding a valid Class B
16 commercial license shall be permitted to operate motor vehicles in
17 Classes B, C and D, except as provided for in paragraph 4 of this
18 subsection.

19 3. No person shall operate a Class C commercial motor vehicle
20 unless the person is eighteen (18) years of age or older and holds a
21 valid Class C commercial license, except as provided in subsection F
22 of this section. Any person holding a valid Class C commercial
23 license shall be permitted to operate motor vehicles in Classes C
24 and D, except as provided for in paragraph 4 of this subsection.

1 4. No person under twenty-one (21) years of age shall be
2 licensed to operate any motor vehicle which is required to be
3 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
4 subpart F, except as provided in subsection F of this section;
5 provided, a person eighteen (18) years of age or older may be
6 licensed to operate a farm vehicle which is required to be placarded
7 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
8 except as provided in subsection F of this section.

9 5. A person at least seventeen (17) years of age who
10 successfully completes all examinations required by law may be
11 issued by the Department:

12 a. a restricted Class A commercial license which shall
13 grant to the licensee the privilege to operate a Class
14 A or Class B commercial motor vehicle for harvest
15 purposes or a Class D motor vehicle, or

16 b. a restricted Class B commercial license which shall
17 grant to the licensee the privilege to operate a Class
18 B commercial motor vehicle for harvest purposes or a
19 Class D motor vehicle.

20 6. No person shall operate a Class D motor vehicle unless the
21 person is sixteen (16) years of age or older and holds a valid Class
22 D license, except as provided for in Section 6-102 or 6-105 of this
23 title. Any person holding a valid Class D license shall be
24 permitted to operate motor vehicles in Class D only.

1 C. Any person issued a driver license pursuant to this section
2 may exercise the privilege thereby granted upon all streets and
3 highways in this state.

4 D. No person shall operate a motorcycle or motor-driven cycle
5 without having a valid Class A, B, C or D license with a motorcycle
6 endorsement. Except as otherwise provided by law, any new applicant
7 for an original driver license shall be required to successfully
8 complete a written examination, vision examination, and driving
9 examination for a motorcycle as prescribed by the Department of
10 Public Safety, and a certified state-approved motorcycle basic rider
11 course approved by the Department if the applicant is seventeen (17)
12 years of age or younger to be eligible for a motorcycle endorsement
13 thereon. The written examination and driving examination for a
14 motorcycle shall be waived by the Department of Public Safety upon
15 verification that the person has successfully completed a certified
16 Motorcycle Safety Foundation rider course approved by the
17 Department.

18 E. Except as otherwise provided by law, any person who lawfully
19 possesses a valid Oklahoma driver license which is eligible for
20 renewal shall be required to successfully complete a written
21 examination, vision examination, and driving examination for a
22 motorcycle as prescribed by the Department, and a certified state-
23 approved motorcycle basic rider course approved by the Department if
24 the person is seventeen (17) years of age or younger to be eligible

1 for a motorcycle endorsement. The written examination and driving
2 examination for a motorcycle shall be waived by the Department of
3 Public Safety upon verification that the person has successfully
4 completed a certified Motorcycle Safety Foundation rider course
5 approved by the Department.

6 F. 1. Any person eighteen (18) years of age or older may apply
7 for a restricted Class A, B or C commercial learner permit. The
8 Department, after the applicant has passed all parts of the
9 examination for a Class D license and has successfully passed all
10 parts of the examination for a Class A, B or C commercial license
11 other than the driving examination, may issue to the applicant a
12 commercial learner permit which shall entitle the person having
13 immediate lawful possession of the commercial learner permit and a
14 valid Oklahoma driver license or provisional driver license pursuant
15 to Section 6-212 of this title to operate a Class A, B or C
16 commercial motor vehicle upon the public highways solely for the
17 purpose of behind-the-wheel training in accordance with rules
18 promulgated by the Department.

19 2. This commercial learner permit shall be issued for a period
20 as provided in Section 6-115 of this title of one hundred eighty
21 (180) days, which may be renewed one time for an additional one
22 hundred eighty (180) days; provided, such commercial learner permit
23 may be suspended, revoked, canceled, denied or disqualified at the
24 discretion of the Department for violation of the restrictions, for

1 failing to give the required or correct information on the
2 application, or for violation of any traffic laws of this state
3 pertaining to the operation of a motor vehicle. Except as otherwise
4 provided, the lawful possessor of a commercial learner permit who
5 has been issued a commercial learner permit for a minimum of
6 fourteen (14) days may have the restriction requiring an
7 accompanying driver removed by satisfactorily completing a driver's
8 examination; provided, the removal of a restriction shall not
9 authorize the operation of a Class A, B or C commercial motor
10 vehicle if such operation is otherwise prohibited by law.

11 3. No person shall apply for and the Department shall not issue
12 an original Class A, B or C driver license until the person has been
13 issued a commercial learner permit and held the permit for at least
14 fourteen (14) days. Any person who currently holds a Class B or C
15 license and who wishes to apply for another class of commercial
16 driver license shall be required to apply for a commercial learner
17 permit and to hold the permit for at least fourteen (14) days before
18 applying for the Class A or B license, as applicable. Any person
19 who currently holds a Class A, B or C license and who wishes to add
20 an endorsement or remove a restriction for which a skills
21 examination is required shall be required to apply for a commercial
22 learner permit and to hold the permit for at least fourteen (14)
23 days before applying for the endorsement.

24

1 4. A commercial learner permit shall be issued by the
2 Department as a separate and unique document which shall be valid
3 only in conjunction with a valid Oklahoma driver license or
4 provisional driver license pursuant to Section 6-212 of this title,
5 both of which shall be in the possession of the person to whom they
6 have been issued whenever that person is operating a commercial
7 motor vehicle as provided in this subsection.

8 5. After one renewal of a commercial learner permit, as
9 provided in paragraph 2 of this subsection, a commercial permit
10 shall not be renewed again. Any person who has held a commercial
11 learner permit for the initial issuance period and one renewal
12 period shall not be eligible for and the Department shall not issue
13 another renewal of the permit; provided, the person may reapply for
14 a new commercial learner permit, as provided for in this subsection.

15 6. Enrollment in or successful completion of a commercial
16 driver training school shall not be required for any commercial
17 learner permit applicant who requests a skills examination for a
18 Class A, B or C license, nor shall any student enrolled in a
19 commercial driver training school be prohibited from taking a skills
20 examination for a Class A, B or C license upon request with a
21 Department of Public Safety examiner regardless of whether the
22 person has completed the course, is still enrolled in the course to
23 be completed or has voluntarily withdrawn from the course.

1 G. 1. The fee charged for an approved application for an
2 original Oklahoma driver license or an approved application for the
3 addition of an endorsement to a current valid Oklahoma driver
4 license shall be assessed in accordance with the following schedule:

5 Class A Commercial Learner Permit	\$25.00
6 Class A Commercial License	\$25.00
7 Class B Commercial Learner Permit	\$15.00
8 Class B Commercial License	\$15.00
9 Class C Commercial Learner Permit	\$15.00
10 Class C Commercial License	\$15.00
11 Class D License	\$ 4.00
12 Motorcycle Endorsement	\$ 4.00

13 2. Notwithstanding the provisions of Section 1104 of this
14 title, all monies collected from the fees charged for Class A, B and
15 C commercial licenses pursuant to the provisions of this subsection
16 shall be deposited in the General Revenue Fund of this state.

17 H. The fee charged for any failed examination shall be Four
18 Dollars (\$4.00) for any license classification. Notwithstanding the
19 provisions of Section 1104 of this title, all monies collected from
20 such examination fees pursuant to the provisions of this subsection
21 shall be deposited in the General Revenue Fund of this state.

22 I. In addition to any fee charged pursuant to the provisions of
23 subsection G of this section, the fee charged for the issuance or
24 renewal of an Oklahoma license shall be in accordance with the

1 following schedule; provided, that any applicant who has a CDL
2 Learner Permit shall be charged only the replacement fee for the
3 issuance of the license:

4	Class A Commercial Learner Permit	\$51.50
5	Class A Commercial License	\$51.50
6	Class B Commercial Learner Permit	\$51.50
7	Class B Commercial License	\$51.50
8	Class C Commercial License	\$41.50
9	Class D License	\$33.50

10 A commercial learner permit may be renewed one time for a period
11 of one hundred eighty (180) days. The cost for the renewed permit
12 shall be the same as for the original permit.

13 Notwithstanding the provisions of Section 1104 of this title, of
14 each fee charged pursuant to the provisions of this subsection:

15 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
16 the Trauma Care Assistance Revolving Fund created in Section 1-
17 2530.9 of Title 63 of the Oklahoma Statutes;

18 2. Six Dollars and seventy-five cents (\$6.75) shall be
19 deposited to the Department of Public Safety Computer Imaging System
20 Revolving Fund to be used solely for the purpose of administration
21 and maintenance of the computerized imaging system of the
22 Department; and

23
24

1 3. Ten Dollars (\$10.00) shall be deposited to the Department of
2 Public Safety Revolving Fund for all original or renewal issuances
3 of licenses.

4 J. All original and renewal driver licenses shall expire as
5 provided in Section 6-115 of this title.

6 K. Any person sixty-two (62) years of age or older during the
7 calendar year of issuance of a Class D license or motorcycle
8 endorsement shall be charged the following prorated fee:

9	Age 62	\$21.25
10	Age 63	\$17.50
11	Age 64	\$13.75
12	Age 65	-0-

13 L. No person who has been honorably discharged from active
14 service in any branch of the Armed Forces of the United States or
15 Oklahoma National Guard and who has been certified by the United
16 States Department of Veterans Affairs, its successor, or the Armed
17 Forces of the United States to be a disabled veteran in receipt of
18 compensation at the one-hundred-percent rate for a permanent
19 disability sustained through military action or accident resulting
20 from disease contracted while in such active service and registered
21 with the veterans registry created by the Oklahoma Department of
22 Veterans Affairs shall be charged a fee for the issuance or renewal
23 of an Oklahoma driver license; provided, that if a veteran has been
24

1 previously exempt from a fee pursuant to this subsection, no
2 registration with the veterans registry shall be required.

3 M. The Department of Public Safety and the Oklahoma Tax
4 Commission are authorized to promulgate rules for the issuance and
5 renewal of driver licenses authorized pursuant to the provisions of
6 Sections 6-101 through 6-309 of this title. Applications, upon
7 forms approved by the Department of Public Safety, for such licenses
8 shall be handled by the motor license agents; provided, the
9 Department of Public Safety is authorized to assume these duties in
10 any county of this state. Each motor license agent accepting
11 applications for driver licenses shall receive Four Dollars (\$4.00)
12 to be deducted from the total collected for each license or renewal
13 application accepted. The four-dollar fee received by the motor
14 license agent shall be used for operating expenses.

15 N. Notwithstanding the provisions of Section 1104 of this title
16 and subsection M of this section and except as provided in
17 subsections G and I of this section, the first Sixty Thousand
18 Dollars (\$60,000.00) of all monies collected pursuant to this
19 section shall be paid by the Oklahoma Tax Commission to the State
20 Treasurer to be deposited in the General Revenue Fund of the State
21 Treasury.

22 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
23 collected pursuant to this section shall be paid by the Tax
24 Commission to the State Treasurer to be deposited each fiscal year

1 under the provisions of this section to the credit of the Department
2 of Public Safety Restricted Revolving Fund for the purpose of the
3 Statewide Law Enforcement Communications System. All other monies
4 collected in excess of Five Hundred Sixty Thousand Dollars
5 (\$560,000.00) each fiscal year shall be apportioned as provided in
6 Section 1104 of this title, except as otherwise provided in this
7 section.

8 O. The Department of Public Safety shall implement a procedure
9 whereby images displayed on licenses and identification cards issued
10 pursuant to the provisions of Sections 6-101 through 6-309 of this
11 title are maintained by the Department to create photographs or
12 computerized images which may be used only:

13 1. By a law enforcement agency for purposes of criminal
14 investigations, missing person investigations, or any law
15 enforcement purpose which is deemed necessary by the Commissioner of
16 Public Safety;

17 2. By the driver licensing agency of another state for its
18 official purpose; and

19 3. As provided in Section 2-110 of this title.

20 The computer system and related equipment acquired for this
21 purpose must conform to industry standards for interoperability and
22 open architecture. The Department of Public Safety may promulgate
23 rules to implement the provisions of this subsection.

24

1 SECTION 9. AMENDATORY Section 1, Chapter 330, O.S.L.
2 2012, as last amended by Section 1, Chapter 113, O.S.L. 2014 (47
3 O.S. Supp. 2016, Section 6-124), is amended to read as follows:

4 Section 6-124. A. As a way to honor and recognize the veterans
5 who have served our country, the Department of Public Safety shall
6 make space available in the upper left hand corner of the front of
7 the driver license and the identification card for a flag emblem and
8 the word "veteran" to be designed by the Department that will serve
9 as a notation of veteran status.

10 B. Upon application for issuance or renewal of the driver
11 license or identification card and in addition to other
12 documentation required by the Department, persons requesting the
13 flag emblem shall ~~show proof of present or past military service by~~
14 ~~presenting:~~

15 ~~1. A valid Uniformed Services Identity Card;~~

16 ~~2. A United States Department of Defense Form (DD)214, (DD)215~~
17 ~~or a World War II discharge document WD AGO Form or NavPers Form~~
18 ~~that shows a discharge status of "honorable" or "general under~~
19 ~~honorable conditions";~~

20 ~~3. An Oklahoma Army or Air National Guard NGB Form 22;~~

21 ~~4. A United States Department of Veterans Affairs photo~~
22 ~~identification card; or~~

23 ~~5. A United States Uniformed Services DD Form 2 (Retired or~~
24 ~~Reserve Retired) Identification Card.~~

1 be registered with the veterans registry created by the Oklahoma
2 Department of Veterans Affairs. Provided, that if the person
3 requesting the flag emblem has previously received a flag emblem
4 pursuant to this subsection, no registration with the veterans
5 registry shall be required to receive the flag emblem. The
6 Department of Public Safety shall promulgate any rule necessary to
7 implement the provisions of this section.

8 SECTION 10. AMENDATORY 68 O.S. 2011, Section 1357, as
9 last amended by Section 18, Chapter 54, O.S.L. 2015 (68 O.S. Supp.
10 2016, Section 1357), is amended to read as follows:

11 Section 1357. Exemptions - General.

12 There are hereby specifically exempted from the tax levied by
13 the Oklahoma Sales Tax Code:

14 1. Transportation of school pupils to and from elementary
15 schools or high schools in motor or other vehicles;

16 2. Transportation of persons where the fare of each person does
17 not exceed One Dollar (\$1.00), or local transportation of persons
18 within the corporate limits of a municipality except by taxicabs;

19 3. Sales for resale to persons engaged in the business of
20 reselling the articles purchased, whether within or without the
21 state, provided that such sales to residents of this state are made
22 to persons to whom sales tax permits have been issued as provided in
23 the Oklahoma Sales Tax Code. This exemption shall not apply to the
24 sales of articles made to persons holding permits when such persons

1 purchase items for their use and which they are not regularly
2 engaged in the business of reselling; neither shall this exemption
3 apply to sales of tangible personal property to peddlers, solicitors
4 and other salespersons who do not have an established place of
5 business and a sales tax permit. The exemption provided by this
6 paragraph shall apply to sales of motor fuel or diesel fuel to a
7 Group Five vendor, but the use of such motor fuel or diesel fuel by
8 the Group Five vendor shall not be exempt from the tax levied by the
9 Oklahoma Sales Tax Code. The purchase of motor fuel or diesel fuel
10 is exempt from sales tax when the motor fuel is for shipment outside
11 this state and consumed by a common carrier by rail in the conduct
12 of its business. The sales tax shall apply to the purchase of motor
13 fuel or diesel fuel in Oklahoma by a common carrier by rail when
14 such motor fuel is purchased for fueling, within this state, of any
15 locomotive or other motorized flanged wheel equipment;

16 4. Sales of advertising space in newspapers and periodicals;

17 5. Sales of programs relating to sporting and entertainment
18 events, and sales of advertising on billboards (including signage,
19 posters, panels, marquees, or on other similar surfaces, whether
20 indoors or outdoors) or in programs relating to sporting and
21 entertainment events, and sales of any advertising, to be displayed
22 at or in connection with a sporting event, via the Internet,
23 electronic display devices, or through public address or broadcast
24

1 systems. The exemption authorized by this paragraph shall be
2 effective for all sales made on or after January 1, 2001;

3 6. Sales of any advertising, other than the advertising
4 described by paragraph 5 of this section, via the Internet,
5 electronic display devices, or through the electronic media,
6 including radio, public address or broadcast systems, television
7 (whether through closed circuit broadcasting systems or otherwise),
8 and cable and satellite television, and the servicing of any
9 advertising devices;

10 7. Eggs, feed, supplies, machinery and equipment purchased by
11 persons regularly engaged in the business of raising worms, fish,
12 any insect or any other form of terrestrial or aquatic animal life
13 and used for the purpose of raising same for marketing. This
14 exemption shall only be granted and extended to the purchaser when
15 the items are to be used and in fact are used in the raising of
16 animal life as set out above. Each purchaser shall certify, in
17 writing, on the invoice or sales ticket retained by the vendor that
18 the purchaser is regularly engaged in the business of raising such
19 animal life and that the items purchased will be used only in such
20 business. The vendor shall certify to the Oklahoma Tax Commission
21 that the price of the items has been reduced to grant the full
22 benefit of the exemption. Violation hereof by the purchaser or
23 vendor shall be a misdemeanor;

24

1 8. Sale of natural or artificial gas and electricity, and
2 associated delivery or transmission services, when sold exclusively
3 for residential use. Provided, this exemption shall not apply to
4 any sales tax levied by a city or town, or a county, or any other
5 jurisdiction in this state;

6 9. In addition to the exemptions authorized by Section 1357.6
7 of this title, sales of drugs sold pursuant to a prescription
8 written for the treatment of human beings by a person licensed to
9 prescribe the drugs, and sales of insulin and medical oxygen.
10 Provided, this exemption shall not apply to over-the-counter drugs;

11 10. Transfers of title or possession of empty, partially
12 filled, or filled returnable oil and chemical drums to any person
13 who is not regularly engaged in the business of selling, reselling
14 or otherwise transferring empty, partially filled, or filled
15 returnable oil drums;

16 11. Sales of one-way utensils, paper napkins, paper cups,
17 disposable hot containers and other one-way carry out materials to a
18 vendor of meals or beverages;

19 12. Sales of food or food products for home consumption which
20 are purchased in whole or in part with coupons issued pursuant to
21 the federal food stamp program as authorized by Sections 2011
22 through 2029 of Title 7 of the United States Code, as to that
23 portion purchased with such coupons. The exemption provided for
24 such sales shall be inapplicable to such sales upon the effective

1 date of any federal law that removes the requirement of the
2 exemption as a condition for participation by the state in the
3 federal food stamp program;

4 13. Sales of food or food products, or any equipment or
5 supplies used in the preparation of the food or food products to or
6 by an organization which:

7 a. is exempt from taxation pursuant to the provisions of
8 Section 501(c)(3) of the Internal Revenue Code, 26
9 U.S.C., Section 501(c)(3), and which provides and
10 delivers prepared meals for home consumption to
11 elderly or homebound persons as part of a program
12 commonly known as "Meals on Wheels" or "Mobile Meals",
13 or

14 b. is exempt from taxation pursuant to the provisions of
15 Section 501(c)(3) of the Internal Revenue Code, 26
16 U.S.C., Section 501(c)(3), and which receives federal
17 funding pursuant to the Older Americans Act of 1965,
18 as amended, for the purpose of providing nutrition
19 programs for the care and benefit of elderly persons;

20 14. a. Sales of tangible personal property or services to or
21 by organizations which are exempt from taxation
22 pursuant to the provisions of Section 501(c)(3) of the
23 Internal Revenue Code, 26 U.S.C., Section 501(c)(3),
24 and:

1 (1) are primarily involved in the collection and
2 distribution of food and other household products
3 to other organizations that facilitate the
4 distribution of such products to the needy and
5 such distributee organizations are exempt from
6 taxation pursuant to the provisions of Section
7 501(c) (3) of the Internal Revenue Code, 26
8 U.S.C., Section 501(c) (3), or

9 (2) facilitate the distribution of such products to
10 the needy.

11 b. Sales made in the course of business for profit or
12 savings, competing with other persons engaged in the
13 same or similar business shall not be exempt under
14 this paragraph;

15 15. Sales of tangible personal property or services to
16 children's homes which are located on church-owned property and are
17 operated by organizations exempt from taxation pursuant to the
18 provisions of the Internal Revenue Code, 26 U.S.C., Section
19 501(c) (3);

20 16. Sales of computers, data processing equipment, related
21 peripherals and telephone, telegraph or telecommunications service
22 and equipment for use in a qualified aircraft maintenance or
23 manufacturing facility. For purposes of this paragraph, "qualified
24 aircraft maintenance or manufacturing facility" means a new or

1 expanding facility primarily engaged in aircraft repair, building or
2 rebuilding whether or not on a factory basis, whose total cost of
3 construction exceeds the sum of Five Million Dollars (\$5,000,000.00)
4 and which employs at least two hundred fifty (250) new full-time-
5 equivalent employees, as certified by the Oklahoma Employment
6 Security Commission, upon completion of the facility. In order to
7 qualify for the exemption provided for by this paragraph, the cost
8 of the items purchased by the qualified aircraft maintenance or
9 manufacturing facility shall equal or exceed the sum of Two Million
10 Dollars (\$2,000,000.00);

11 17. Sales of tangible personal property consumed or
12 incorporated in the construction or expansion of a qualified
13 aircraft maintenance or manufacturing facility as defined in
14 paragraph 16 of this section. For purposes of this paragraph, sales
15 made to a contractor or subcontractor that has previously entered
16 into a contractual relationship with a qualified aircraft
17 maintenance or manufacturing facility for construction or expansion
18 of such a facility shall be considered sales made to a qualified
19 aircraft maintenance or manufacturing facility;

20 18. Sales of the following telecommunications services:

21 a. Interstate and International "800 service". "800
22 service" means a "telecommunications service" that
23 allows a caller to dial a toll-free number without
24 incurring a charge for the call. The service is

1 typically marketed under the name "800", "855", "866",
2 "877", and "888" toll-free calling, and any subsequent
3 numbers designated by the Federal Communications
4 Commission, or

5 b. Interstate and International "900 service". "900
6 service" means an inbound toll "telecommunications
7 service" purchased by a subscriber that allows the
8 subscriber's customers to call in to the subscriber's
9 prerecorded announcement or live service. "900
10 service" does not include the charge for: collection
11 services provided by the seller of the
12 "telecommunications services" to the subscriber, or
13 service or product sold by the subscriber to the
14 subscriber's customer. The service is typically
15 marketed under the name "900" service, and any
16 subsequent numbers designated by the Federal
17 Communications Commission,

18 c. Interstate and International "private communications
19 service". "Private communications service" means a
20 "telecommunications service" that entitles the
21 customer to exclusive or priority use of a
22 communications channel or group of channels between or
23 among termination points, regardless of the manner in
24 which such channel or channels are connected, and

1 includes switching capacity, extension lines,
2 stations, and any other associated services that are
3 provided in connection with the use of such channel or
4 channels,

5 d. "Value-added nonvoice data service". "Value-added
6 nonvoice data service" means a service that otherwise
7 meets the definition of "telecommunications services"
8 in which computer processing applications are used to
9 act on the form, content, code, or protocol of the
10 information or data primarily for a purpose other than
11 transmission, conveyance or routing,

12 e. Interstate and International telecommunications
13 service which is:

14 (1) rendered by a company for private use within its
15 organization, or

16 (2) used, allocated, or distributed by a company to
17 its affiliated group,

18 f. Regulatory assessments and charges, including charges
19 to fund the Oklahoma Universal Service Fund, the
20 Oklahoma Lifeline Fund and the Oklahoma High Cost
21 Fund, and

22 g. Telecommunications nonrecurring charges, including but
23 not limited to the installation, connection, change or
24

1 initiation of telecommunications services which are
2 not associated with a retail consumer sale;

3 19. Sales of railroad track spikes manufactured and sold for
4 use in this state in the construction or repair of railroad tracks,
5 switches, sidings and turnouts;

6 20. Sales of aircraft and aircraft parts provided such sales
7 occur at a qualified aircraft maintenance facility. As used in this
8 paragraph, "qualified aircraft maintenance facility" means a
9 facility operated by an air common carrier, including one or more
10 component overhaul support buildings or structures in an area owned,
11 leased or controlled by the air common carrier, at which there were
12 employed at least two thousand (2,000) full-time-equivalent
13 employees in the preceding year as certified by the Oklahoma
14 Employment Security Commission and which is primarily related to the
15 fabrication, repair, alteration, modification, refurbishing,
16 maintenance, building or rebuilding of commercial aircraft or
17 aircraft parts used in air common carriage. For purposes of this
18 paragraph, "air common carrier" shall also include members of an
19 affiliated group as defined by Section 1504 of the Internal Revenue
20 Code, 26 U.S.C., Section 1504. Beginning July 1, 2012, sales of
21 machinery, tools, supplies, equipment and related tangible personal
22 property and services used or consumed in the repair, remodeling or
23 maintenance of aircraft, aircraft engines, or aircraft component
24 parts which occur at a qualified aircraft maintenance facility;

1 21. Sales of machinery and equipment purchased and used by
2 persons and establishments primarily engaged in computer services
3 and data processing:

4 a. as defined under Industrial Group Numbers 7372 and
5 7373 of the Standard Industrial Classification (SIC)
6 Manual, latest version, which derive at least fifty
7 percent (50%) of their annual gross revenues from the
8 sale of a product or service to an out-of-state buyer
9 or consumer, and

10 b. as defined under Industrial Group Number 7374 of the
11 SIC Manual, latest version, which derive at least
12 eighty percent (80%) of their annual gross revenues
13 from the sale of a product or service to an out-of-
14 state buyer or consumer.

15 Eligibility for the exemption set out in this paragraph shall be
16 established, subject to review by the Tax Commission, by annually
17 filing an affidavit with the Tax Commission stating that the
18 facility so qualifies and such information as required by the Tax
19 Commission. For purposes of determining whether annual gross
20 revenues are derived from sales to out-of-state buyers or consumers,
21 all sales to the federal government shall be considered to be to an
22 out-of-state buyer or consumer;

23 22. Sales of prosthetic devices to an individual for use by
24 such individual. For purposes of this paragraph, "prosthetic

1 device" shall have the same meaning as provided in Section 1357.6 of
2 this title, but shall not include corrective eye glasses, contact
3 lenses or hearing aids;

4 23. Sales of tangible personal property or services to a motion
5 picture or television production company to be used or consumed in
6 connection with an eligible production. For purposes of this
7 paragraph, "eligible production" means a documentary, special, music
8 video, or a television commercial or television program that will
9 serve as a pilot for or be a segment of an ongoing dramatic or
10 situation comedy series filmed or taped for network or national or
11 regional syndication or a feature-length motion picture intended for
12 theatrical release or for network or national or regional
13 syndication or broadcast. The provisions of this paragraph shall
14 apply to sales occurring on or after July 1, 1996. In order to
15 qualify for the exemption, the motion picture or television
16 production company shall file any documentation and information
17 required to be submitted pursuant to rules promulgated by the Tax
18 Commission;

19 24. Sales of diesel fuel sold for consumption by commercial
20 vessels, barges and other commercial watercraft;

21 25. Sales of tangible personal property or services to tax-
22 exempt independent nonprofit biomedical research foundations that
23 provide educational programs for Oklahoma science students and
24

1 teachers and to tax-exempt independent nonprofit community blood
2 banks headquartered in this state;

3 26. Effective May 6, 1992, sales of wireless telecommunications
4 equipment to a vendor who subsequently transfers the equipment at no
5 charge or for a discounted charge to a consumer as part of a
6 promotional package or as an inducement to commence or continue a
7 contract for wireless telecommunications services;

8 27. Effective January 1, 1991, leases of rail transportation
9 cars to haul coal to coal-fired plants located in this state which
10 generate electric power;

11 28. Beginning July 1, 2005, sales of aircraft engine repairs,
12 modification, and replacement parts, sales of aircraft frame repairs
13 and modification, aircraft interior modification, and paint, and
14 sales of services employed in the repair, modification and
15 replacement of parts of aircraft engines, aircraft frame and
16 interior repair and modification, and paint;

17 29. Sales of materials and supplies to the owner or operator of
18 a ship, motor vessel or barge that is used in interstate or
19 international commerce if the materials and supplies:

- 20 a. are loaded on the ship, motor vessel or barge and used
21 in the maintenance and operation of the ship, motor
22 vessel or barge, or
23 b. enter into and become component parts of the ship,
24 motor vessel or barge;

1 30. Sales of tangible personal property made at estate sales at
2 which such property is offered for sale on the premises of the
3 former residence of the decedent by a person who is not required to
4 be licensed pursuant to the Transient Merchant Licensing Act, or who
5 is not otherwise required to obtain a sales tax permit for the sale
6 of such property pursuant to the provisions of Section 1364 of this
7 title; provided:

- 8 a. such sale or event may not be held for a period
9 exceeding three (3) consecutive days,
- 10 b. the sale must be conducted within six (6) months of
11 the date of death of the decedent, and
- 12 c. the exemption allowed by this paragraph shall not be
13 allowed for property that was not part of the
14 decedent's estate;

15 31. Beginning January 1, 2004, sales of electricity and
16 associated delivery and transmission services, when sold exclusively
17 for use by an oil and gas operator for reservoir dewatering projects
18 and associated operations commencing on or after July 1, 2003, in
19 which the initial water-to-oil ratio is greater than or equal to
20 five-to-one water-to-oil, and such oil and gas development projects
21 have been classified by the Corporation Commission as a reservoir
22 dewatering unit;

23 32. Sales of prewritten computer software that is delivered
24 electronically. For purposes of this paragraph, "delivered

1 electronically" means delivered to the purchaser by means other than
2 tangible storage media;

3 33. Sales of modular dwelling units when built at a production
4 facility and moved in whole or in parts, to be assembled on-site,
5 and permanently affixed to the real property and used for
6 residential or commercial purposes. The exemption provided by this
7 paragraph shall equal forty-five percent (45%) of the total sales
8 price of the modular dwelling unit. For purposes of this paragraph,
9 "modular dwelling unit" means a structure that is not subject to the
10 motor vehicle excise tax imposed pursuant to Section 2103 of this
11 title;

12 34. Sales of tangible personal property or services to:
13 a. persons who are residents of Oklahoma and have been
14 honorably discharged from active service in any branch
15 of the Armed Forces of the United States or Oklahoma
16 National Guard and who have been certified by the
17 United States Department of Veterans Affairs or its
18 successor to be in receipt of disability compensation
19 at the one-hundred-percent rate and the disability
20 shall be permanent and have been sustained through
21 military action or accident or resulting from disease
22 contracted while in such active service and registered
23 with the veterans registry created by the Oklahoma
24 Department of Veterans Affairs; provided, that if the

1 veteran has previously received the sales tax
2 exemption pursuant to this subparagraph, no
3 registration with the veterans registry shall be
4 required, or

5 b. the surviving spouse of ~~such~~ the person in
6 subparagraph a of this paragraph if the person is
7 deceased and the spouse has not remarried; ~~provided,~~
8 ~~sales.~~ Sales for the benefit of ~~the~~ an eligible
9 person to a spouse of the eligible person or to a
10 member of the household in which the eligible person
11 resides and who is authorized to make purchases on the
12 person's behalf, when such eligible person is not
13 present at the sale, shall also be exempt for purposes
14 of this paragraph. The Oklahoma Tax Commission shall
15 issue a separate exemption card to a spouse of an
16 eligible person or to a member of the household in
17 which the eligible person resides who is authorized to
18 make purchases on the person's behalf, if requested by
19 the eligible person. Sales qualifying for the
20 exemption authorized by this paragraph shall not
21 exceed Twenty-five Thousand Dollars (\$25,000.00) per
22 year per individual while the disabled veteran is
23 living. Sales qualifying for the exemption authorized
24 by this paragraph shall not exceed One Thousand

1 Dollars (\$1,000.00) per year for an unremarried
2 surviving spouse. Upon request of the Tax Commission,
3 a person asserting or claiming the exemption
4 authorized by this paragraph shall provide a
5 statement, executed under oath, that the total sales
6 amounts for which the exemption is applicable have not
7 exceeded Twenty-five Thousand Dollars (\$25,000.00) per
8 year per living disabled veteran or One Thousand
9 Dollars (\$1,000.00) per year for an unremarried
10 surviving spouse. If the amount of such exempt sales
11 exceeds such amount, the sales tax in excess of the
12 authorized amount shall be treated as a direct sales
13 tax liability and may be recovered by the Tax
14 Commission in the same manner provided by law for
15 other taxes, including penalty and interest. The Tax
16 Commission shall promulgate any rules necessary to
17 implement the provisions of this section;

18 35. Sales of electricity to the operator, specifically
19 designated by the Corporation Commission, of a spacing unit or lease
20 from which oil is produced or attempted to be produced using
21 enhanced recovery methods, including, but not limited to, increased
22 pressure in a producing formation through the use of water or
23 saltwater if the electrical usage is associated with and necessary
24 for the operation of equipment required to inject or circulate

1 fluids in a producing formation for the purpose of forcing oil or
2 petroleum into a wellbore for eventual recovery and production from
3 the wellhead. In order to be eligible for the sales tax exemption
4 authorized by this paragraph, the total content of oil recovered
5 after the use of enhanced recovery methods shall not exceed one
6 percent (1%) by volume. The exemption authorized by this paragraph
7 shall be applicable only to the state sales tax rate and shall not
8 be applicable to any county or municipal sales tax rate;

9 36. Sales of intrastate charter and tour bus transportation.
10 As used in this paragraph, "intrastate charter and tour bus
11 transportation" means the transportation of persons from one
12 location in this state to another location in this state in a motor
13 vehicle which has been constructed in such a manner that it may
14 lawfully carry more than eighteen persons, and which is ordinarily
15 used or rented to carry persons for compensation. Provided, this
16 exemption shall not apply to regularly scheduled bus transportation
17 for the general public;

18 37. Sales of vitamins, minerals and dietary supplements by a
19 licensed chiropractor to a person who is the patient of such
20 chiropractor at the physical location where the chiropractor
21 provides chiropractic care or services to such patient. The
22 provisions of this paragraph shall not be applicable to any drug,
23 medicine or substance for which a prescription by a licensed
24 physician is required;

1 38. Sales of goods, wares, merchandise, tangible personal
2 property, machinery and equipment to a web search portal located in
3 this state which derives at least eighty percent (80%) of its annual
4 gross revenue from the sale of a product or service to an out-of-
5 state buyer or consumer. For purposes of this paragraph, "web
6 search portal" means an establishment classified under NAICS code
7 519130 which operates websites that use a search engine to generate
8 and maintain extensive databases of Internet addresses and content
9 in an easily searchable format;

10 39. Sales of tangible personal property consumed or
11 incorporated in the construction or expansion of a facility for a
12 corporation organized under Section 437 et seq. of Title 18 of the
13 Oklahoma Statutes as a rural electric cooperative. For purposes of
14 this paragraph, sales made to a contractor or subcontractor that has
15 previously entered into a contractual relationship with a rural
16 electric cooperative for construction or expansion of a facility
17 shall be considered sales made to a rural electric cooperative;

18 40. Sales of tangible personal property or services to a
19 business primarily engaged in the repair of consumer electronic
20 goods, including, but not limited to, cell phones, compact disc
21 players, personal computers, MP3 players, digital devices for the
22 storage and retrieval of information through hard-wired or wireless
23 computer or Internet connections, if the devices are sold to the
24 business by the original manufacturer of such devices and the

1 devices are repaired, refitted or refurbished for sale by the entity
2 qualifying for the exemption authorized by this paragraph directly
3 to retail consumers or if the devices are sold to another business
4 entity for sale to retail consumers;

5 41. Before July 1, 2019, sales of rolling stock when sold or
6 leased by the manufacturer, regardless of whether the purchaser is a
7 public services corporation engaged in business as a common carrier
8 of property or passengers by railway, for use or consumption by a
9 common carrier directly in the rendition of public service. For
10 purposes of this paragraph, "rolling stock" means locomotives,
11 autocars and railroad cars; and

12 42. Sales of gold, silver, platinum, palladium or other bullion
13 items such as coins and bars and legal tender of any nation, which
14 legal tender is sold according to its value as precious metal or as
15 an investment. As used in the paragraph, "bullion" means any
16 precious metal, including, but not limited to, gold, silver,
17 platinum and palladium, that is in such a state or condition that
18 its value depends upon its precious metal content and not its form.
19 The exemption authorized by this paragraph shall not apply to
20 fabricated metals that have been processed or manufactured for
21 artistic use or as jewelry.

22 SECTION 11. AMENDATORY 68 O.S. 2011, Section 2105, as
23 last amended by Section 1, Chapter 312, O.S.L. 2016 (68 O.S. Supp.
24 2016, Section 2105), is amended to read as follows:

1 Section 2105. An original or a transfer certificate of title
2 shall be issued without the payment of the excise tax levied by
3 Section 2101 et seq. of this title for:

4 1. Any vehicle owned by a nonresident person who operates
5 principally in some other state but who is in Oklahoma only
6 occasionally;

7 2. Any vehicle brought into this state by a person formerly
8 living in another state, who has owned and registered the vehicle in
9 such other state of residence at least sixty (60) days prior to the
10 time it is required to be registered in this state; provided,
11 however, this paragraph shall not apply to businesses engaged in
12 renting cars without a driver;

13 3. Any vehicle registered by the State of Oklahoma, by any of
14 the political subdivisions thereof, or by a fire department
15 organized pursuant to Section 592 of Title 18 of the Oklahoma
16 Statutes to be used for the purposes of the fire department, or a
17 vehicle which is the subject of a lease or lease-purchase agreement
18 executed between the person seeking an original or transfer
19 certificate of title for the vehicle and a municipality, county,
20 school district, or fire protection district. The person seeking an
21 original or transfer certificate of title shall provide adequate
22 proof that the vehicle is subject to a lease or lease-purchase
23 agreement with a municipality, county, school district, or fire
24 protection district at the time the excise tax levied would

1 otherwise be payable. The Oklahoma Tax Commission shall have the
2 authority to determine what constitutes adequate proof as required
3 by this section;

4 4. Any vehicle, the legal ownership of which is obtained by the
5 applicant for a certificate of title by inheritance;

6 5. Any used motor vehicle, travel trailer, or commercial
7 trailer which is owned and being offered for sale by a person
8 licensed as a dealer to sell the same, under the provisions of the
9 Oklahoma Vehicle License and Registration Act:

10 a. if such vehicle, travel trailer, or commercial trailer
11 has been registered in Oklahoma and the excise tax
12 paid thereon, or

13 b. when such vehicle, travel trailer, or commercial
14 trailer has been registered in some other state but is
15 not the latest manufactured model.

16 Provided, the provisions of this paragraph shall not be
17 construed as allowing an exemption to any person not licensed as a
18 dealer of used motor vehicles, travel trailers, or commercial
19 trailers, or as an automotive dismantler and parts recycler in this
20 state;

21 6. Any vehicle which was purchased by a person licensed to sell
22 new or used motor vehicles in another state:

23 a. if such vehicle is not purchased for operation or
24 resale in this state, and

1 b. the state from which the dealer is licensed offers
2 reciprocal privileges to a dealer licensed in this
3 state, pursuant to a reciprocal agreement between the
4 duly authorized agent of the Tax Commission and the
5 licensing state;

6 7. Any vehicle, the ownership of which was obtained by the
7 lienholder or mortgagee under or by foreclosure of a lien or
8 mortgage in the manner provided by law or to the insurer under
9 subrogated rights arising by reason of loss under an insurance
10 contract;

11 8. Any vehicle which is taxed on an ad valorem basis;

12 9. Any vehicle or motor vehicle, the legal ownership of which
13 is obtained by transfers:

14 a. from one corporation to another corporation pursuant
15 to a reorganization. As used in this subsection the
16 term "reorganization" means:

17 (1) a statutory merger or consolidation, or

18 (2) the acquisition by a corporation of substantially
19 all of the properties of another corporation when
20 the consideration is solely all or a part of the
21 voting stock of the acquiring corporation, or of
22 its parent or subsidiary corporation,

23 b. in connection with the winding up, dissolution, or
24 liquidation of a corporation only when there is a

1 distribution in kind to the shareholders of the
2 property of such corporation,

3 c. to a corporation where the former owners of the
4 vehicle or motor vehicle transferred are, immediately
5 after the transfer, in control of the corporation, and
6 the stock or securities received by each is
7 substantially in proportion to the interest in the
8 vehicle or motor vehicle prior to the transfer,

9 d. to a partnership if the former owners of the vehicle
10 or motor vehicle transferred are, immediately after
11 the transfer, members of such partnership and the
12 interest in the partnership received by each is
13 substantially in proportion to the interest in the
14 vehicle or motor vehicle prior to the transfer,

15 e. from a partnership to the members thereof when made in
16 the dissolution of such partnership,

17 f. to a limited liability company if the former owners of
18 the vehicle or motor vehicle transferred are,
19 immediately after the transfer, members of the limited
20 liability company and the interest in the limited
21 liability company received by each is substantially in
22 proportion to the interest in the vehicle or motor
23 vehicle prior to the transfer, or

24

1 g. from a limited liability company to the members
2 thereof when made in the dissolution of such
3 partnership;

4 10. Any vehicle which is purchased by a person to be used by a
5 business engaged in renting motor vehicles without a driver,
6 provided:

7 a. the vehicle shall not be rented to the same person for
8 a period exceeding ninety (90) days,

9 b. any such vehicle exempted from the excise tax by these
10 provisions shall not be placed under any type of lease
11 agreement,

12 c. on any such vehicle exempted from the excise tax by
13 this subsection that is reregistered in this state,
14 without a prior sale or transfer to the persons
15 specified in divisions (1) and (2) of this
16 subparagraph, at any time prior to the expiration of
17 twelve (12) months from the date of issuance of the
18 original title, the seller shall pay immediately the
19 amount of excise tax which would have been due had
20 this exemption not been granted plus a penalty of
21 twenty percent (20%). No such excise tax or penalty
22 shall become due and payable if the vehicle is sold or
23 transferred in a condition either physical or
24 mechanical which would render it eligible for a

1 salvage title pursuant to law or if the vehicle is
2 sold and transferred in this state at any time prior
3 to the expiration of twelve (12) months:

4 (1) to the manufacturer of the vehicle or its
5 controlled financing arm, or

6 (2) to a factory authorized franchised new motor
7 vehicle dealer which holds a franchise of the
8 same line-make of the vehicle being purchased, or

9 d. when this exemption is claimed, the Tax Commission
10 shall issue a special title which shall restrict the
11 transfer of the title only within this state prior to
12 the expiration of twelve (12) months unless:

13 (1) payment of the excise tax plus penalty as
14 provided in this section is made,

15 (2) the sale is made to a person specified in
16 division (1) or (2) of subparagraph c of this
17 paragraph, or

18 (3) the vehicle is eligible for a salvage title.

19 For all other tax purposes vehicles herein exempted shall be
20 treated as though the excise tax has been paid;

21 11. Any vehicle of the latest manufactured model, registered
22 from a title in the name of the original manufacturer or assigned to
23 the original manufacturer and issued by any state and transferred to
24 a licensed, franchised Oklahoma motor vehicle dealer, as defined by

1 Section 1102 of Title 47 of the Oklahoma Statutes, which holds a
2 franchise of the same line-make as the vehicle being registered;

3 12. Any new motor vehicle, registered in the name of a
4 manufacturer or dealer of new motor vehicles, for which a license
5 plate has been issued pursuant to Section 1116.1 of Title 47 of the
6 Oklahoma Statutes, if such vehicle is authorized by the manufacturer
7 or dealer for personal use by an individual. The authorization for
8 such use shall not exceed four (4) months which shall not be renewed
9 or the exemption provided by this subsection shall not be
10 applicable. The exemption provided by this subsection shall not be
11 applicable to a transfer of ownership or registration subsequent to
12 the first registration of the vehicle by a manufacturer or dealer;

13 13. Any vehicle, travel trailer, or commercial trailer of the
14 latest manufacturer model purchased by a franchised Oklahoma dealer
15 licensed to sell the same which holds a franchise of the same line-
16 make as the vehicle, travel trailer, or commercial trailer being
17 registered;

18 14. Any vehicle which is the subject of a lease or lease-
19 purchase agreement and which the ownership of such vehicle is being
20 obtained by the lessee, if the vehicle excise tax was paid at the
21 time of the initial lease or lease-purchase agreement;

22 15. Any vehicle which:

23 a. is purchased by a private, nonprofit organization
24 which is exempt from taxation pursuant to the

1 provisions of Section 501(c)(3) of the Internal
2 Revenue Code, 26 U.S.C., Section 501(c)(3), and which
3 is primarily funded by a fraternal or civic service
4 organization with at least one hundred local chapters
5 or clubs, and

6 b. is designed and used to provide mobile health
7 screening services to the general public at no cost to
8 the recipient, and for which no reimbursement of any
9 kind is received from any health insurance provider,
10 health maintenance organization, or governmental
11 program;

12 16. Any vehicle which is purchased by an individual who has
13 been honorably discharged from active service in any branch of the
14 Armed Forces of the United States or Oklahoma National Guard and who
15 has been certified by the United States Department of Veterans
16 Affairs, its successor, or the Armed Forces of the United States to
17 be a disabled veteran in receipt of compensation at the one-hundred-
18 percent rate for a permanent disability sustained through military
19 action or accident resulting from disease contracted while in such
20 active service and registered with the veterans registry created by
21 the Oklahoma Department of Veterans Affairs; provided, that if the
22 veteran has previously received exemption pursuant to this
23 paragraph, no registration with the veterans registry shall be
24 required. This exemption may not be claimed by an individual for

1 more than one vehicle in a consecutive three-year period, unless the
2 vehicle is a replacement for a vehicle which was destroyed and
3 declared by the insurer to be a total loss claim. The Tax
4 Commission shall promulgate any rules necessary to implement the
5 provisions of this section; or

6 17. Any vehicle on which ownership is transferred by a
7 reposessor directly back to the owner or owners from whom the
8 vehicle was repossessed; provided, ownership shall be assigned by
9 the reposessor within thirty (30) days of issuance of the
10 repossession title and shall be identical to that reflected in the
11 vehicle title record immediately prior to the repossession.

12 SECTION 12. AMENDATORY 72 O.S. 2011, Section 402, is
13 amended to read as follows:

14 Section 402. As used in the Special Disabled Veterans
15 Employment Act:

16 1. "Special disabled veterans" means those honorably discharged
17 persons who:

18 a. meet the criteria for war veterans as set out in
19 Section 67.13a of this title, ~~and~~

20 b. have a service-connected disability rated at thirty
21 percent (30%) or more by the Veterans Administration
22 or the Armed Forces of the United States, ~~and~~

23 c. have been a resident of Oklahoma for at least one (1)
24 year prior to the date of the examination, ~~and~~

1 d. are registered with the veterans registry created by
2 the Oklahoma Department of Veterans Affairs; and

3 2. "Agency" means any office, department, board, commission or
4 institution of the state government.

5 SECTION 13. Section 1 of this act shall become effective
6 November 1, 2017.

7 SECTION 14. Sections 2 through 12 of this act shall become
8 effective November 1, 2020.

9
10 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS,
11 dated 03/02/2017 - DO PASS, As Amended and Coauthored.